

Planning/Zoning, Land Design & Development Meeting
Tuesday, January 30, 2007
2:00 P.M.
Third Floor, City Hall

Also Present: CM Downard, CM Benson, CM Peden, and CM Henderson

Chairman Owen announced the members and non-members of the committee that were present. A quorum was established.

O-9-01-07 AN ORDINANCE AMENDING ORDINANCE 16, SERIES 2006 EXTENDING THE PORTLAND NEIGHBORHOOD CATEGORY 3 REVIEW PROCESS PENDING THE ADOPTION OF THE PORTLAND NEIGHBORHOOD PLAN.

Discussion: CM Hamilton spoke stating this ordinance is asking for another extension because they are still in the process of working on the Neighborhood Plan. Reports have been received from the Planning Commission and hopefully the Neighborhood Plan will be done by March 1st. From there it will go to the Citizen Review process as well as a hearing before the Planning Commission. A handout was given to the Committee Members (attached).

By unanimous vote, this item was sent to the **Consent Calendar**.

For: Jim King, Hal Heiner, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
Against: (None)
Abstain: (None)
Absent: (None)

Motion to Approve was made by Julie Rague Adams and seconded by Hal Heiner.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on November 30, 2006. Two spoke in opposition and two spoke neither for nor against. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Downard's District. The proposed use is for retail, restaurant, hotel apartment, and condominiums. A power point presentation was given. The following were items of discussion and concern:

- Town Center designation to allow mixed use design

- Customized zoning district to allow flexibility in the mixture of uses and densities not provided in other districts
- Must provide minimum standards set for the form district
- Traffic
- Phasing of the development
- Air quality impacts
- Developer has submitted a concept plan

CM Downard, whose district this is in spoke regarding traffic and stated he is in agreement with the change.

Theresa Senninger, Assistant County Attorney, gave a review of what a Concept Plan is and what would trigger the plan to come back before the Council.

Further discussion included the following:

- Access
- Phasing of the development

CM Hamilton left at 2:35.

Motion to Table was made by Julie Raque Adams and seconded by Hal Heiner until the next Committee meeting to allow time for the County Attorney to come up with appropriate language for a binding element regarding phasing of the development.

By unanimous vote, this item was **Tabled**, with CM Downard also voting yes to table this item.

For: 7; Against: 0; Abstain: 0; Absent: 0

For: Jim King, Hal Heiner, Cheri Bryant Hamilton, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
 Against: (None)
 Abstain: (None)
 Absent: (None)

[O-2-01-07 AN ORDINANCE CHANGING THE NAME OF MURPHY LANE TO ROCK BLUFF DRIVE FROM THE NORTHERN INTERSECTION OF MURPHY LANE AND BALLARDSVILLE ROAD \(KY 22\), RUNNING NORTHWESTERLY, AND BEING IN LOUISVILLE METRO \(DOCKET NO. 1-19-06\).](#)

Motion to Approve was made by Julie Raque Adams and seconded by Glen Stuckel.

Discussion: Doris Heyman, DPDS spoke to the item. The Planning Commission hearing was held on November 16, 2006. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Downard's District. The Land Development & Transportation Committee (LD&T) denied this initially because at the time it was listed as Murphy Lane and there were objections from the Planning and Design Addressing, and E-911, and Worthington Fire Department started off as objecting then changed to no objection. It was appealed to the Planning Commission where it was approved.

Jim King stated his concerns regarding inconsistencies in recommendations from the Planning Commission.

Kelly Downard stated he thought this was a great name change.

This item was sent to **Old Business due to Julie Adams voting as present because she was out of the room during the discussion.**

For: 5; Against: 0; Abstain: 0; Absent: 1; Present: 1

For: Jim King, Hal Heiner, Tom Owen, Glen Stuckel, Madonna Flood,
 Against: (None)
 Abstain: (None)
 Present: Julie Raque Adams
 Absent: Cheri Bryant Hamilton

[O-3-01-07 AN ORDINANCE CHANGING THE ZONING FROM R-1 AND R-4 SINGLE FAMILY RESIDENTIAL TO R-3 SINGLE FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 5218 SPRING FARM ROAD, CONTAINING 8.19 ACRES AND BEING IN LOUISVILLE METRO \(DOCKET NO. 9-40-06\).](#)

Motion to Approve was made by Jim King and seconded by Hal Heiner

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on November 16, 2006. Three spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Downard's District. The proposed use is for Single Family Residential. A power point presentation was given. The following were items of discussion and concern:

- 2.35 dwelling units per acre
- Compatibility
- Visual impact
- Buffers
- Open space
- Compliance with the Wolf Pen Branch Neighborhood Plan
- Traffic
- Density
- Construction hours

CM Downard stated the Developer done a wonderful job keeping the area as it should be and asked for Committee approval.

By unanimous vote, this item was sent to **Old Business** with CM Downard also voting yes.

For: 6; Against: 0; Abstain: 0; Absent: 1

For: Jim King, Hal Heiner, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
Against: (None)
Abstain: (None)
Absent: Cheri Bryant Hamilton

[O-10-01-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO PEC PLANNED EMPLOYMENT CENTER ON PROPERTY LOCATED AT 2600 TUCKER STATION ROAD, CONTAINING 24.27 ACRES AND BEING IN LOUISVILLE METRO \(DOCKET NO. 9-42-06\).](#)

Motion to Approve was made by Julie Raque Adams and seconded by Jim King.

Discussion: Dawn Warrick, DPDS, spoke to the item. There were two public hearings on this case. The first hearing was held on November 16, 2006. Two spoke in opposition and two spoke neither for nor against. The second one was held on November 30, 2006. One spoke in opposition and one spoke neither for nor against. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Benson's District. The proposed use is for industrial and subdivision. A power point presentation was given. The following were items of discussion and concern:

- No impact to the adjacent historical cemetery

Paula Wahls, DPDS spoke regarding road access and connectivity.

CM Benson spoke stating this is the perfect place for employment and is in favor of the project.

There was further discussion regarding traffic.

CM Heiner will be abstaining due to the potential of a perceived conflict of interest.

By unanimous vote, this item was sent to **Old Business** with CM Benson also voting yes.

For: 5; Against: 0; Abstain: 1; Absent: 1

For: Jim King, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
Against: (None)
Abstain: Hal Heiner,
Absent: Cheri Bryant Hamilton

[O-5-01-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO OR OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 13000 FACTORY LANE, CONTAINING 0.717 ACRES AND BEING IN LOUISVILLE METRO \(DOCKET NO. 9-30-06\).](#)

Motion to Approve was made by Hal Heiner and seconded by Glen Stuckel.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on November 16, 2006. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Heiner's District. The proposed use is for an insurance office. A power point presentation was given. The following were items of discussion and concern:

- Changes in the area have rendered existing zoning inappropriate
- Proposed zoning and use conform to the Suburban Workplace Form District

CM Heiner spoke is in favor of the request and asked for Committee for their support.

By unanimous vote, this item was sent to **Old Business.**

For: 5; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
Against: (None)
Abstain: (None)
Absent: Jim King, Cheri Bryant Hamilton

[O-4-01-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO OR-3 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 4201 SPRINGHURST BOULEVARD, CONTAINING 1.47 ACRES AND BEING IN LOUISVILLE METRO \(DOCKET NO. 9-38-06W\).](#)

Motion to Approve made by Julie Raque Adams and seconded by Glen Stuckel.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on November 16, 2006. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Stuckel's District. The proposed use is for office and condominiums. A power point presentation was given. The following were items of discussion and concern:

- Screening
- Style of Buildings
- Parking spaces

CM Stuckel spoke stating the fronts of the buildings will face the interior of the development and he has no opposition to the project.

By unanimous vote, this item was sent to **Old Business.**

For: 5; Against: 0; Abstain: 0; Absent: 2

For: Hal Heiner, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,
Against: (None)
Abstain: (None)
Absent: Jim King, Cheri Bryant Hamilton

[O-1-01-07 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO R-5A MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 6407 AND 6409 APPLGATE LANE, CONTAINING 4.11 ACRES AND BEING IN LOUISVILLE METRO \(DOCKET NO. 9-41-06\).](#)

Motion to Approve was made by Julie Raque Adams and seconded by Madonna Flood.

Discussion: Dawn Warrick, DPDS, spoke to the item. The Planning Commission hearing was held on November 16, 2006. No one spoke in opposition. The Commission approved the request and made recommendation for approval by the Metro Council. This is in CM Peden's District. The proposed use is for Multi Family Residential. A power point presentation was given. The following were items of discussion and concern:

- Access to the site
- Signage
- Compatibility

CM Peden spoke stating his concerns regarding garbage receptacles, landscaping and shielding.

Motion to Amend the ordinance by adding the following binding element was made by Jim King and seconded by Hal Heiner:

- 14. The Applicant shall work with Planning Commission staff to ensure that a continuous 30-foot long evergreen screen is located along the east property line in the vicinity of the existing home on the property.

By unanimous vote, the amendment passed with CM Peden also voting yes.

Motion was made by Jim King and seconded by Julie Raque Adams to amend binding element 6(D) as follows:

- 6. d. An access easement providing for vehicular and pedestrian access over and across the development site, and ~~reciprocal access and crossover easement~~ in a form acceptable to Planning Commission legal counsel shall be created between the adjoining property owners and recorded. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

By unanimous vote, the amendment passed with CM Peden also voting yes.

By unanimous vote, this item as amended was sent to **Old Business** with CM Peden also voting yes.

For: 6; Against: 0; Abstain: 0; Absent: 1

For: Jim King, Hal Heiner, Tom Owen, Glen Stuckel, Julie Raque Adams, Madonna Flood,

Against: (None)

Abstain: (None)

Absent: Cheri Bryant Hamilton

Motion to Adjourn was made by Julie Raque Adams and seconded by Hal Heiner.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting February 8, 2007.**

The meeting adjourned at 3:35 p.m. without objection.

KQG